Mediation Role Play: Deli Tab Payment Conflict

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INITIATING PARTY: Michael Vera (he/him)

By: Ameli A. Ramirez

BACKGROUND:

Michael Vera, a 24-year-old medical student at NYU Grossman School of Medicine, lives in a lower-income area of Queens. He lives a stressful, fast-paced life with many responsibilities on his mind. Michael is focused on medical school, hoping to become a surgeon and help his parents in El Salvador from poverty.

Aside from the aid he receives from FAFSA, Michael is solely responsible for funding his education and works full-time as a delivery driver for Amazon. He relies on his paycheck to cover his basic necessities and the remainder goes toward his tuition. Michael is hardly getting by and is determined not to take out student loans, as he wants to avoid debt. He spends the majority of his time working and attending school, and his demanding schedule leaves him with little time to cook, so he relies on meals from a nearby deli owned by Omar Torres.

Over time, he and Omar developed a trusting relationship. For convenience, Michael established a $300 monthly tab with Omar's Deli. Michael always paid his tab on time and never had any problems with Omar.

CONFLICT:

One day, Michael received a devastating call from his father: his mother had been in a serious car accident and required spinal cord surgery. Without hesitation, Michael flew to El Salvador to support his family, using his savings to help cover what insurance didn't pay for the surgery.

Before leaving, Michael remembered to email his professors about his absence but, in the heat of things, forgot to notify Omar about his tab. While Omar called Michael multiple times

about the overdue payment, Michael never received the calls due to the lack of cell service or Wi-Fi in his hometown.

After spending a week in El Salvador, Michael returns to New York for medical school and remembers his outstanding tab. However, his savings were drained, and he was unable to pay. Upon his arrival, he received an angry call from Omar, who had been trying to reach him all week. On the call, Omar immediately lashed out at Michael, shouting and refusing to let him explain his situation.

The next day, Michael nervously visited the deli in person to discuss the situation, but Omar remained hostile, feeling betrayed by the unpaid tab. Omar threatened to call the police if Michael didn't pay within two days and told him not to return until the debt was settled.

REASONING & EXPECTATIONS FOR MEDIATION:

Panicked and fearing both the loss of his spot in medical school and the possibility of being charged with a crime, Michael felt powerless and uncertain about how to resolve the situation. Desperate for a solution, he sought help from a free community mediation center. Michael hopes the mediation will provide an opportunity to explain his side of the story and understand why Omar is so hostile and defensive. He is determined to fix their relationship and keep the tab system.

During the mediation, Michael plans to ask Omar not to press charges and proposes paying off the debt in full the following month while refraining from making any purchases at the deli until the tab is cleared. He also wants to figure out how to rebuild the trust they once shared.

RESPONDING PARTY: Omar Torres (he/him)

By: Jocelyn N. Lucero

BACKGROUND:

Omar Torres is a 40 year old Ecuadorian business owner in the Queens. He has a beautiful wife and 3 children who are going to college next year. Omar and Michael and very good friends since Michael has a tab in Omar's deli and always acknowledge each other. Since the pandemic occurred the deli has been struggling to pay rent from the months the pandemic was happening. Omar is a hard working person that he even got a second job to cover the costs of his children's education.

CONFLICT:

Omar has been dealing with saving money for his 3 children to go to college and it would cost him at least 25,000 for each child. Omar has been really tight with money and is saving up as much as he can. Omar has been flexible with his customers to have a tab where they can purchase items like food and groceries from his deli. He decided to have this tab to help other families who struggle to pay for food. His regular customer, Michael, has had a tab since the coronavirus outbreak and has never missed a payment. Though the pandemic ended years ago Omar is still facing the struggles the lack of business put him in and recently Michael missed his payment and hasn't gotten in contact with Omar for around a week. Omar has been reaching out to Michael but no payment has been made. He starts to get angry and threatens to call the cops on Michael.

REASONING & EXPECTATIONS FOR MEDIATION:

Omar fears that this debt will hurt his business and future expenses that awaits him. Omar does not want to press charges on Michael since he does not want to create problems between

them too and fears that he will lose time and money trying to get his money back. Omar has many other issues with his family and business and does not know how to initiate a conversation with Michael. Omar's wife has been very supportive and exhausts the importance of having a mediation conversation with professionals and convinces him to go to the mediation appointment.